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IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

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POPHAM, JEFFREY D	
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/930,328
Filing Date: August 15, 2001
Appellant(s): FRENCH ET AL.

Gerald H. Glanzman
Reg. #25,035
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/14/2008 appealing from the Office action mailed 9/26/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

This appeal involves claims 1-14, 18-31, and 35-37. Appellant states in the status of claims of the Appeal Brief that no claims were rejected, which is incorrect, as claims 1-14, 18-31, and 35-37 stand rejected.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2002/0055924	LIMING	5/2002
6216130	HOUGAARD	4/2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-14, 18-31, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liming (U.S. Patent Application Publication 2002/0055924) in view of Hougaard (U.S. Patent 6,216,130).

Regarding Claim 1,

> Liming discloses a method for management of a distributed data processing system, the method comprising:

Determining a unique network hardware identifier for a network device (Paragraphs 73-74; 99-100; and 156-159);

Associating the unique network hardware identifier with geographic location information (Paragraphs 73-74; 99-100; and 156-159); and

Managing the network in accordance with the geographic location information (Paragraphs 156-162);

But does not explicitly disclose configuring the network device in accordance with the geographic location information through a network administrative user interface.

Hougaard, however, configuring the network device in accordance with the geographic location information through a network administrative user interface (Column 5, line 32 to Column 6, line 19; and Column 7, lines 1-62). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the geographic-based management system of Hougaard into the location-based network system of Liming in order to allow the system of organize geographic information located at remote sources in such a way that it is easily accessible and displayable to users, facilitate the exchange and distribution of geographic information to multiple users within an organization, and/or to allow an administrator to specify which users are authorized to access, modify, or delete geographic information through filters.

Regarding Claim 18,

Claim 18 is an apparatus claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 35,

Claim 35 is a computer program product claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 2,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Liming discloses that the unique network hardware identifier is a MAC address (Paragraphs 156-159).

Regarding Claim 19,

Claim 19 is an apparatus claim that corresponds to method claim 2 and is rejected for the same reasons.

Regarding Claim 36,

Claim 36 is a computer program product claim that corresponds to method claim 2 and is rejected for the same reasons.

Regarding Claim 3,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Hougaard discloses authorizing user access to the network device based on a user security parameter corresponding to the geographic location information (Column 7, line 1 to Column 8, line 29).

Regarding Claim 20,

Claim 20 is an apparatus claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 37,

Claim 37 is a computer program product claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 4,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Liming discloses generating a unique name for an endpoint resource on the network device, wherein the unique name comprises the geographic location information (Paragraphs 88-90; 107-110; and 160-165).

Regarding Claim 21,

Claim 21 is an apparatus claim that corresponds to method claim 4 and is rejected for the same reasons.

Regarding Claim 5,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Hougaard discloses associating the endpoint resource with security attributes for the endpoint resource (Column 7, line 1 to Column 8, line 29).

Regarding Claim 22,

Claim 22 is an apparatus claim that corresponds to method claim 5 and is rejected for the same reasons.

Regarding Claim 6,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Liming discloses associating the unique name for the endpoint resource with the unique network hardware identifier (Paragraphs 88-90; 107-110; and 156-165).

Regarding Claim 23,

Claim 23 is an apparatus claim that corresponds to method claim 6 and is rejected for the same reasons.

Regarding Claim 7,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Liming discloses determining a router closest to the endpoint resource (Paragraphs 95-101; and 152-159);

Retrieving router geographic location information associated with the router (Paragraphs 95-101; and 152-159; and

Using the router geographic information in the generated unique name for the endpoint resource (Paragraphs 95-101; and 152-159).

Regarding Claim 24,

Claim 24 is an apparatus claim that corresponds to method claim 7 and is rejected for the same reasons.

Regarding Claim 8,

Liming as modified by Hougaard discloses the method of claim 4, in addition, Liming discloses determining a network address generator (NAG) for the endpoint resource (Paragraphs 52-55; and 165-167);

Retrieving NAG geographic location information associated with the NAG (Paragraphs 52-55; and 165-167); and

Using the NAG geographic location information in the generated unique name for the endpoint resource (Paragraphs 52-55; 95-101; 156-159; and 165-167).

Regarding Claim 25,

Claim 25 is an apparatus claim that corresponds to method claim 8 and is rejected for the same reasons.

Regarding Claim 9,

Liming as modified by Hougaard discloses the method of claim 8, in addition, Liming discloses that the network address generator is a sever operating in accordance with a DHCP protocol (Paragraphs 52-55; and 165-167).

Regarding Claim 26,

Claim 26 is an apparatus claim that corresponds to method claim 9 and is rejected for the same reasons.

Regarding Claim 10,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Liming discloses detecting a change of location of the network

device within the distributed data processing system based on the geographic location information (Paragraphs 91, 98-101, and 133); and Hougaard discloses detecting a change of location of the network device within the distributed data processing system based on the geographic location information (Column 7, line 1 to Column 8, line 29; and Column 8, line 53 to Column 9, line 23).

Regarding Claim 27,

Claim 27 is an apparatus claim that corresponds to method claim 10 and is rejected for the same reasons.

Regarding Claim 11,

Liming as modified by Hougaard discloses the method of claim 10, in addition, Liming discloses reconfiguring the network device based on the detected change of location of the network device (Paragraphs 91, 98-101, and 133); and Hougaard discloses reconfiguring the network device based on the detected change of location of the network device (Column 7, line 1 to Column 8, line 29; and Column 8, line 53 to Column 9, line 23).

Regarding Claim 28,

Claim 28 is an apparatus claim that corresponds to method claim 11 and is rejected for the same reasons.

Regarding Claim 12,

Liming as modified by Hougaard discloses the method of claim 10, in addition, Hougaard discloses reconfiguring user security parameters

based on the detected change of location of the network device (Column 7, line 1 to Column 8, line 29; and Column 8, line 53 to Column 9, line 23).

Regarding Claim 29,

Claim 29 is an apparatus claim that corresponds to method claim 12 and is rejected for the same reasons.

Regarding Claim 13,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Hougaard discloses representing the distributed data processing system as a set of scopes, wherein a scope comprises a logical organization of network-related objects (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21);

Associating each scope with a management customer, wherein each scope is uniquely assigned to a management customer, wherein each scope is uniquely associated with a set of configuration parameters for managing each scope (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21);

Managing the distributed data processing system as a set of logical networks, wherein a logical network comprises a set of scopes, and wherein each logical network is uniquely assigned to a management

customer (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21); and

Allowing an administrative user to dynamically reconfigure logical networks within the distributed data processing system (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21).

Regarding Claim 30,

Claim 30 is an apparatus claim that corresponds to method claim 13 and is rejected for the same reasons.

Regarding Claim 14,

Liming as modified by Hougaard discloses the method of claim 1, in addition, Hougaard discloses dynamically discovering endpoints, systems, and networks within the distributed data processing system (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21);

Correspondingly representing endpoints, systems, and networks within the distributed data processing system as a set of endpoint objects, system objects, and network objects (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21); and

Logically organizing the endpoint objects, system objects, and network objects within a set of scopes, wherein each endpoint object,

each system object, and each network object is uniquely assigned to a scope such that scopes do not logically overlap (Column 5, line 32 to Column 6, line 19; Column 7, line 1 to Column 8, line 29; and Column 10, line 1 to Column 11, line 21).

Regarding Claim 31,

Claim 31 is an apparatus claim that corresponds to method claim 14 and is rejected for the same reasons.

(10) Response to Argument

Appellant argues (pages 12-17) that neither Liming nor Hougaard teaches or suggests the feature of configuring the network device in accordance with the geographic location information through a network administrative user interface.

Liming is concerned with providing location-relevant data and services to devices. This is shown in paragraph 52 (page 4) of Liming, for example, which states that “One aspect of the present invention includes a mechanism for automated and/or dynamic configuration and/or service location. This aspect provides a method for clients desiring use of spatially relevant services or information to automatically be configured with little or no human intervention to locate and utilize or participate in the spatial service on the network.” Seen here is the client being configured to use the spatial service of Liming. Paragraph 110 further shows this, stating that "It is an object of the present invention to provide, along with these various means of location determination, a method for storing various location contexts so that a user of the

system may effectively and efficiently manage multiple location contexts and store, recall, transmit, share, and use them in location based activities", showing the management of location contexts and their use in location based activities.

Paragraph 157 (page 13) of Liming shows that "information such as network addresses, associated locations, and time may be used as an aid to network management including traffic management and geographical mapping of the network", explicitly showing managing a network in accordance with geographic location information. Paragraph 160 discusses such network management in more detail, stating that it is an object of Liming to "provide for flexible configuration of SYSTEM 100 style clients and systems. In one aspect of a preferred invention a client/server management architecture is used such as is currently supported with the Simple Network Management Protocol (SNMP)." One can clearly see here that Liming provides for configuration and management of devices in accordance with location information using a management architecture/protocol such as SNMP. Paragraph 162 goes on to disclose that the MIB (Management Information Base) describes device components and attributes, including spatial attributes such as a known location, as well as the interface to the values of those elements and a method for setting them to control configuration.

Further disclosure regarding configuring network devices in according with geographic location information is found throughout Liming. Paragraph 121, for example, recites "In addition to providing location-based control and automation, it is a further object of the present invention to provide for location based searches for

business, services, products and other items, such as real estate, or network resources, such as printers and other devices, which may be nearby." Clearly seen here is configuring a device to access data regarding entities such as businesses and network devices when the location of the device indicates that the device is near such entities. Continuing along this line, paragraph 123 states that "one aspect of preferred embodiment includes a quick find capability for emergency services, such as local police stations, hospitals, and fire departments, as well as a means for locating and interacting with nearby mobile emergency units such as patrol cars." This further shows locating of, and communicating with, nearby entities based upon location information of the entities/devices.

Other portions of Liming provide additional disclosure regarding configuration of network devices in accordance with geographic location information via use of a user interface. Paragraph 49, for example, describes using a user interface to control recording, playback, and transfer of audio-visual data to and from the user's device and other devices. Paragraph 86 states that a user centric embodiment of the Liming "provides for a robust user interaction and configuration control via a user interface."

What is lacking in Liming is the explicit teaching that this configuration is performed through a network administrative user interface. Hougaard is concerned with geographic-based information technology management via an administrative application. Administration, configuration, and management of devices of the administrator's network is performed through use of this administrative application. As referenced by Appellant, column 7, lines 45-52 of Hougaard reads "The administrator

can configure context filters 34, which permits the users to receive only the geographic and other data that is relevant to them a that time that the requests for data are made. The administrator can also configure user access filters 36, which constitute a security mechanism for allowing only authorized users to access the geographic and other data." Appellant argues that this passage merely teaches that users are allowed access only to specific geographic data rather than all geographic data. To the contrary, this passage explicitly recites that the administrator configures the access filters such that users may only access the data when they are authorized and the data is deemed relevant to them. As described above, Liming teaches location-based access to data and services, such that a user or device's relevance to the data is found in the location of the device/user. When substituting the network administrative user interface of Hougaard for the user interface of Liming, one can see that the combination teaches configuring the network device in accordance with the geographic location information through a network administrative user interface.

Additionally, Appellant provides several examples of configuring a network in accordance with the geographic location information on page 16. It is first noted that these are merely examples, and do not limit the claims. One example is that a user may be granted access to a network or portions of a network based on the geographic location of the user. Liming teaches such an example of configuring of network devices in figure 12 and paragraph 118, for example. The device is configured such that, when the device enters an area defined by a location context, the system triggers a location-triggered event to occur. In this scenario, the location-triggered event is connecting to a

networked Home Automation facility and interacting with such networked facility to turn lights on and/or turn the air-conditioner on. This clearly shows that the device is configured such that, when its location is within a particular range or location context (five miles from home in the paragraph 118 example), the location-based event is triggered in order to allow communication with the networked Home Automation facility in order to remotely control such devices.

Appellant argues (pages 17-18), regarding claims 4 and 21, that Liming fails to teach or suggest the feature "generating a unique name for an endpoint resource on the network device, wherein the unique name comprises the geographic location information." One portion of Liming that was cited as teaching generating a unique name is paragraphs 160-165, describing OIDs and MIB objects. Since it is known in the art that the OID (Object ID) of a MIB (Management Information Base) object is a unique name, the OIDs within the table between paragraphs 164 and 165 are unique names (not all of them for endpoint resources in the management sense of the system, however, once the OID gets below the "1.3.6.1.4.1" level, the OID begins to specify resources within a private enterprise or entity). The last 5 OIDs of the table, as pointed out in paragraph 164, include spatial information. Therefore, these OIDs that comprise geographic location information of the resource being referred to are clearly unique names for an endpoint resource on a network device, and this unique name comprises spatial/geographic location information. In another portion of Liming (paragraphs 107-110), a cookie is described, such cookie including geographic location information and possibly other information, such as information identifying aspects of the client or user,

or include other cookies that may relate to the spatial Cookie or Geo-Cookie. This cookie may be considered a unique name for an endpoint resource on the device, including location information. Regarding claims 5, 6, 22, and 23, Appellant simply states (page 19) that, since the combination of Liming in view of Hougaard does not teach that which is in claims 4 and 21, it cannot teach that which is in claims 5, 6, 22, and 23. Since no additional arguments have been provided, and the combination has been shown to teach that which is in claims 4 and 21, no additional response is required.

Appellant argues (pages 19-20), regarding claims 10 and 27, that Liming fails to teach or suggest the feature of "detecting a change of location of the network device within the distribute data processing system based on the geographic location information." To the contrary, paragraph 91 of Liming, for example, explicitly states that "A client may also base server updates on locally stored position information, such that server updates only occur when a client detects location change." This clearly shows detecting a change of location of the network device (client) based on the geographic location information that is sent to the server. Many other portions of Liming teach detecting a change of location of a device based on geographic location information. Paragraph 118, for example, teaches creation of a location context such as a range of five miles from a user's home and association of such location context with a time frame. If the user/device gets within this five mile range during the specified time frame, the home's air-conditioning and walkway lights are turned on. This change in location (from being outside the five mile range to within the five mile range) is detected based

upon location information and the location-triggered event of turning on AC and lighting is performed.

Appellant argues (page 21), regarding claims 11 and 28, that Liming does not teach or even suggest "reconfiguring the network device based on the detected change of location of the network device." As just described, in Liming, location-triggered events can cause reconfiguration of the device, such as by determining that communication with devices in a user's home should commence. Another example described in paragraphs 113-115 of Liming includes reconfiguring the device to activate a location-triggered event when the user/device reaches a proximity defined by location contexts, such as by alerting the user to pick up milk and eggs when the user/device is detected to have changed to a location in proximity to a grocery store. Other examples of reconfiguring a device based on a detected change of location of the device may be found in other portions of Liming.

Appellant argues (page 22), regarding claims 12 and 29, that the combination of Liming in view of Hougaard fails to teach or suggest the feature of "reconfiguring user security parameters based on the detected change of location of the network device." As shown above with respect to claims 10, 11, 27, and 28, the combination teaches reconfiguring a network device based on a detected change of location of the network device. Hougaard teaches a security mechanism for allowing only authorized users to access the data, as well as only providing access to data that is relevant at the time a request is made (column 7, lines 45-52). As described above, in the combination, the relevance of a request is (at least in part) based upon geographic location information.

Therefore, when the device's location changes such that a particular context or location-triggered event is no longer relevant, the user's authorization (security parameters) are reconfigured so that access to such an context, event, or data is no longer allowed. This can also be shown in the situation described above, wherein the device changes location into the range of a location-triggered event, instead of out of such a range.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Jeffrey D Popham/
Examiner, Art Unit 2137

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2132

Conferees:

/G. B./
Supervisory Patent Examiner, Art Unit 2132

/Benjamin E Lanier/
Primary Examiner, Art Unit 2132